

REMARKS & ARGUMENTS

Applicants provide the following remarks and argument for consideration in further examination of the present application and explanation of the amendments presented herein. Claims 2-5, 7, 9, 11-14, 16, 18, and 20-31 are currently pending. No claims have been amended, added, or cancelled.

Objections to the Drawings

The drawings are objected to under 37 C.F.R. 1.83(a). Specifically, the office alleges that “the ceasing the provision of at least one service in favor of allowing the second network to provide the at least one service of independent claim 2 and ceasing the implementation of the at least one service in the gateway in favor of allowing the second network to provide the at least one service must be shown or the feature(s) canceled from the claim(s).” Applicants respectfully disagree. The features of the claim noted by the Office are recited as “processes implemented within the gateway” of claim 1. The gateway of claim 1 is illustrated throughout the Figures, for example, at least in FIGS. 1, 2, and 4. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the drawings.

Claim Rejections – 35 U.S.C. § 103

Claims 2-5, 7, 11-14, 16, 20-22 and 26-28 stand rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over U.S. Publication No. 2004/0199618 to Knight, et al. (“Knight”), in view of U.S. Publication No. 2004/0148376 to Rangan, et al. (“Rangan”). Applicants respectfully traverses these rejections for at least the following reasons.

Independent claim 2 is directed to a gateway and recites and recites, *inter alia*, processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network; processes implemented within the gateway for implementing the at least one service on behalf of the second network; processes implemented within the gateway for determining when the at least one service is implemented in the second network; and processes implemented within the gateway for ceasing the implementation of the at least one service in favor of allowing the second network to provide the at least one service. Independent claim 11 is a directed to a method for configuring a heterogeneous network across a gateway and recites similar features.

While Knight is alleged to disclose the gateway of independent claim 2 and the configuration method of independent claim 11, Applicants note that Knight does not disclose or suggest a gateway. While paragraph [0012] of Knight discusses “an appliance for use with a storage network,” Knight discloses that this “appliance” includes a storage router, a storage services server, and a management server. Knight provides no disclosure or suggestion that the appliance is or includes a gateway.

The Office contends that Knight discloses “processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network” and cites Knight at paragraphs [0039], [0040], [0043], and [0046] in support of this contention. Knight, however, fails to disclose or suggest a gateway. Further, Knight does not disclose or suggest identifying at least one service provided by a first network that is not provided by a second network. Instead, the cited passages of Knight disclose that policy based logic is used to prioritize a problem, and that the same kind of problem can be handled differently in different applications. Knight further discloses that prioritization can be effective over a SAN and a WAN, and that once logic is used to determine a response to a problem, the policy can take network actions to correct the problems. Paragraphs [0045]-[0049] of Knight provides example situations of when a data replication policy may be triggered. However, Knight provides no disclosure or suggestion of identifying at least one service provided by the first network that is not provided by the second network.

The Office also contends that Knight discloses “processes implemented within the gateway for implementing the at least one service on behalf of the second network” and again cites Knight at paragraphs [0039], [0040], [0043], and [0046] in support of this contention. However, as discussed above, Knight does not disclose or suggest a gateway. Further, Knight fails to disclose or suggest implementing the at least one service on behalf of the second network.

Finally, the Office contends that Knight discloses “processes implemented within the gateway for ceasing the implementation of the at least one service in favor of allowing the second network to provide the at least one service.” Again, the Office cites Knight at [0039], [0040], [0043], and [0046] in support of the contention. However, Knight provides no disclosure or suggestion of ceasing implementation of a service.

Rangan is relied upon only to disclose “processes implemented within the gateway for determining when the at least one service is implemented in the second network” and does not cure the deficiencies of Knight set forth above.

Accordingly, without conceding the propriety of the combination, Applicants respectfully submit that Knight and Rangan, whether taken alone or in combination, fail to disclose or suggest all of the features of independent claims 2 and 11, and those claims depending directly or indirectly therefrom. Applicants respectfully request reconsideration and withdrawal of the rejection of independent claims 2 and 11, and those claims depending directly or indirectly therefrom. Allowance of the claims is respectfully requested.

Independent claim 7 is also directed to a gateway and recites, *inter alia*, processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network; and processes implemented within the gateway for implementing the at least one service on behalf of the second network. Independent claim 16 is directed to a method for configuring a heterogeneous network across a gateway and recites similar features.

While Knight is alleged to disclose the gateway of independent claim 7 and the configuration method of independent claim 16, Applicants note that Knight does not disclose or suggest a gateway. While paragraph [0012] of Knight discusses “an appliance for use with a storage network,” Knight discloses that this “appliance” includes a storage router, a storage services server, and a management server. Knight provides no disclosure or suggestion that the appliance is or includes a gateway.

The Office contends that Knight discloses “processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network” and cites Knight at paragraphs [0039], [0040], [0043], and [0046] in support of this contention. Knight, however, fails to disclose or suggest a gateway. Further, Knight does not disclose or suggest identifying at least one service provided by a first network that is not provided by a second network. Instead, the cited passages of Knight disclose that policy based logic is used to prioritize a problem, and that the same kind of problem can be handled differently in different applications. Knight further discloses that prioritization can be effective over a SAN and a WAN, and that once logic is used to determine a response to a problem, the policy can take network actions to correct the problems. Paragraphs [0045]-[0049] of Knight

provides example situations of when a data replication policy may be triggered. However, Knight provides no disclosure or suggestion of identifying at least one service provided by the first network that is not provided by the second network.

The Office also contends that Knight discloses “processes implemented within the gateway for implementing the at least one service on behalf of the second network” and again cites Knight at paragraphs [0039], [0040], [0043], and [0046] in support of this contention. However, as discussed above, Knight does not disclose or suggest a gateway. Further, Knight fails to disclose or suggest implementing the at least one service on behalf of the second network.

Ragan is relied upon only to disclose a discovery service and does not cure the deficiencies of Knight set forth above.

Accordingly, without conceding the propriety of the combination, Applicants respectfully submit that Knight and Rangan, whether taken alone or in combination, fail to disclose or suggest all of the features of independent claims 7 and 16, and those claims depending directly or indirectly therefrom. Applicants respectfully request reconsideration and withdrawal of the rejection of independent claims 7 and 16, and those claims depending directly or indirectly therefrom. Allowance of the claims is respectfully requested.

Claims 9, 18, 23-25 and 29-31 stand rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over Knight in view of Chou et al. (*A Method for Accommodating Storage Service in Optical Access System*) (“Chou”). Applicants respectfully traverse for at least the following reasons.

Independent claim 9 is directed to a gateway and recites “processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network” and “processes implemented within the gateway for implementing the at least one service on behalf of the second network.” Independent claim 18 is directed to a method for configuring a heterogeneous network across a gateway and recites similar features.

While Knight is alleged to disclose the gateway of independent claim 9 and the configuration method of independent claim 18, Applicants note that Knight does not disclose or suggest a gateway. While paragraph [0012] of Knight discusses “an appliance for use with a storage network,” Knight discloses that this “appliance” includes a storage router, a storage

services server, and a management server. Knight provides no disclosure or suggestion that the appliance is or includes a gateway.

The Office contends that Knight discloses “processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network” and cites Knight at paragraphs [0039], [0040], [0043], and [0046] in support of this contention. Knight, however, fails to disclose or suggest a gateway. Further, Knight does not disclose or suggest identifying at least one service provided by a first network that is not provided by a second network. Instead, the cited passages of Knight disclose that policy based logic is used to prioritize a problem, and that the same kind of problem can be handled differently in different applications. Knight further discloses that prioritization can be effective over a SAN and a WAN, and that once logic is used to determine a response to a problem, the policy can take network actions to correct the problems. Paragraphs [0045]-[0049] of Knight provides example situations of when a data replication policy may be triggered. However, Knight provides no disclosure or suggestion of identifying at least one service provided by the first network that is not provided by the second network.

The Office also contends that Knight discloses “processes implemented within the gateway for implementing the at least one service on behalf of the second network” and again cites Knight at paragraphs [0039], [0040], [0043], and [0046] in support of this contention. However, as discussed above, Knight does not disclose or suggest a gateway. Further, Knight fails to disclose or suggest implementing the at least one service on behalf of the second network.

Chou is relied upon only to disclose a security service and does not cure the deficiencies of Knight set forth above.

Accordingly, without conceding the propriety of the combination, Applicants respectfully submit that Knight and Chou, whether taken alone or in combination, fail to disclose or suggest all of the features of independent claims 9 and 18, and those claims depending directly or indirectly therefrom. Applicants respectfully request reconsideration and withdrawal of the rejection of independent claims 9 and 18, and those claims depending directly or indirectly therefrom. Allowance of the claims is respectfully requested.

Conclusion

Claims 2-5, 7, 9, 11-14, 16, 18, and 20-31 are currently pending in the application. Applicants have fully responded to each and every objection and rejection in the Office action dated 04 February 2009 and believes that claims 2-5, 7, 9, 11-14, 16, 18, and 20-31 are in a condition for allowance. Applicants therefore request that a timely Notice of Allowance be issued in this case.

A petition for a one month extension of time is submitted herewith. Applicants believe no further fees or petitions are required. However, if any such petitions or fees are necessary, please consider this a request therefore and authorization to charge Deposit Account No. 50-3199 accordingly.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney. If the Examiner believes any issues could be resolved via a telephone interview, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted this 4th day of June 2009.

/Allison Olenginski/
Allison Olenginski
Registration No. 55,509
Customer No. 48929

HENSLEY KIM & HOLZER, LLC
1660 Lincoln Street, Suite 3000
Denver, Colorado 80264
720-377-0773 (TEL)
720-377-0777 (FAX)